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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/057,649    04/09/98    OZKAN

M    RCA88915

LM02/1028

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EXAMINER
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KOSTAK, V

ART UNIT	PAPER NUMBER
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2711

DATE MAILED:

10/28/99

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/057,649**

Applicant(s)

**Ozkan et al.**

Examiner

**Victor R. Kostak**

Group Art Unit

**2711**



☐ Responsive to communication(s) filed on \_\_\_\_\_

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-24 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☒ Claim(s) 11 and 12 is/are allowed.

☒ Claim(s) 1, 2, 4-10, 13, 15-17, and 19-24 is/are rejected.

☒ Claim(s) 3, 14, and 18 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☒ The proposed drawing correction, filed on Jun 15, 998 is ☒ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2 and 5

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4-10, 13, 15-17 and 19-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Wasilewski '378 (provided by applicant).

The channel mapping system of Wasilewski includes a decoder 10 (Fig. 1) which receives a packet stream having MPEG-2 formatted data, including channel guide data and program guide data (note elements 34 and 40). System processor 14, with component demuxer 16, identify channel map data and program map data which are extracted from the incoming data stream, whereby the channel map data indicates associated broadcast channels using packet IDs which in turn identify individual data streams constituting the selected A/V programs. The channel map data replicates data conveyed in the MPEG program map table (note element 38) to indicate to the viewer which programs correspond to which channels, thereby meeting claims 1, 13, 16, 23 and 24.

As for claims 2, 12, 15 and 17, Wasilewski also uses PCR values to identify programs, as is typical (col. 8 lines 50-54).

As for claim 4, the actual carrier frequency is also identified using the channel map data (note NIT 36 in Figs. 2-4)

Regarding claim 5, tuner 12 operates as a function of channel data, by way of element 36.

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As for claims 6 and 19, LCT 32 (Figs. 2-4) list plural ID numbers to identify the broadcast channel.

Considering claim 7, the EPG or remote controller (operated by a user) applies the plural ID numbers to select a channel.

As for claims 8, 9, 20 and 21, Table 40 (Figs. 2-4) includes a descriptor section which is related to the channel map data.

Regarding claims 10 and 22, the data stream includes various ID information in the header, including data indicating that the data stream provides video or audio data, which is accordingly parsed and ultimately reproduced (e.g. col. 5 lines 25-26).

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

3. Claims 3, 11, 12, 14 and 18 appear allowable over the prior art.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor R. Kostak, whose telephone number is (703) 305-4374. The examiner can normally be reached on Mon. - Fri. from 6:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew I. Faile, can be reached on (703) 305-4380.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**Or:**

(703) 308-5359 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

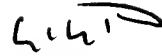
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

VRK  
October 25, 1999

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**VICTOR R. KOSTAK**  
**PRIMARY EXAMINER**